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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/638,560	08/14/2000	Bernard DeGroeve	0007314/0001	9964

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Washington, DC 20006-1109

EXAMINER

BACKER, FIRMIN

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/638,560

Applicant(s)

DEGROEVE ET AL.

Examiner

Firmin Backer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-9,11-90,93-144 and 155 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-9,11-90,93-144 and 155 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Response to Amendment***

This is in response to an amendment file on November 4<sup>th</sup>, 2003. In the amendment, claims 1, 11, 12, 21, 33, 36, 43, 47-50, 84, 90, 97, 111 and 155 have been amended. Claims 1-4, 6-9, 11-90, 93-144 and 155 are remain pending in the letter.

***Response to Arguments***

Applicant's arguments with respect to claim1-4, 6-9, 11-90, 93-144 and 155 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-9, 11-90, 93-144 and 155 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Remington et al (U.S. Patent No. 6,070,150) in view of Rosen (U.S. Patent No. 6,081,790) in further view of Hilt et al (U.S. Patent No. 6,032,133).

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3. As per claims 1, 11, 12, 21, 33, 36, 43, 47-50, 84, 90, 93, 97, 111, 116 and 155, Remington et al teach an electronic multiparty accounts receivable and accounts payable system (*a bill presentment and payment remittance system, fig 1-4*) for use by at least two system participants (*biller, 112, consumer 114, consumer bank, 124, biller bank, 120*) who have contracted with one another and who may owe debts (*amount owe*) to one another under one or more underlying contracts (*see fig 1-4, 11 and 12*) comprising and electronic invoicing means (*biller's software, 112*) for constructing an electronic invoice (*bill, 128*) reflecting amounts owed to the creditor participant by the debtor participant on one or more underlying contracts (*see fig 4, column 7 lines 50-8 line 6*) electronic invoice presentment means (*bill presentment and remittance, 210*) for presenting the electronic invoice reflecting amounts owed to the creditor participant by the debtor participant to the debtor participant for acceptance or rejection (*see fig 7-9*) and authorization means for allowing the debtor participant to authorize the electronic invoice, whereby the authorization signifies the debt reflected in the electronic invoice has become a payment obligation due on a date certain (*see fig 7-9 column 8 lines 7-32, 9 lines 7-68*), confirmation means for allowing the debtor participant to confirm the electronic invoice without modification whereby the confirmation signifies the debt reflected in the electronic invoices has become independent payment obligation due on a data certain and free of defenses to the underlying contract and payment issuance currency designation means for allowing the debtor participant to designate a currency for payment issuance for a specific invoice irrespective of the currency specified on such electronic invoice (*see fig 7, column 10 lines 16-11 lines 67*). Remington et al fail to teach a system comprising electronic data storage means for storing accounts receivable and accounts payable information concerning the system participants, data

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entry means for entering accounts receivable and accounts payable information reflecting debts owed to the creditor participant by a debtor participant into the electronic data storage means of the electronic multiparty accounts receivable and accounts payable system. However, Rosen teach a system comprising electronic data storage means for storing accounts receivable and accounts payable information concerning the system participants, data entry means for entering accounts receivable and accounts payable information reflecting debts owed to the creditor participant by a debtor participant into the electronic data storage means of the electronic multiparty accounts receivable and accounts payable system (*see abstract, fig 6, column 8 line 10-30*) . Therefore, it would have been obvious to modify Remington et al's inventive concept to include Rosen's electronic data storage means for storing accounts receivable and accounts payable information concerning the system participants, data entry means for entering accounts receivable and accounts payable information reflecting debts owed to the creditor participant by a debtor participant into the electronic data storage means of the electronic multiparty accounts receivable and accounts payable system because this would enable a quicker method to retrieve the account information and would facilitate the creation of the invoice and thereby enhance the efficiency of the system. Furthermore, the combination of Remington and Rosen fail to teach an inventive concept of wherein the creditor participant transfer the independent payment obligation due on the certain data for the sum certain to a third party as an electronic promissory note for the settling a separate obligation between the creditor participant and the third party. However, Hilt et al teach an inventive concept of wherein the creditor participant transfer the independent payment obligation due on the certain data for the sum certain to a third party as an electronic promissory note for the settling a separate obligation between the creditor participant and the

third party (*see fig 3, 4, column 10 lines 38-11 line 26*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Remington and Rosen to include Hilt et al's an inventive concept of wherein the creditor participant transfer the independent payment obligation due on the certain data for the sum certain to a third party as an electronic promissory note for the settling a separate obligation between the creditor participant and the third party because this would have easier and faster to process the bill payment for the customer.

4. As per claims 2-4, 6-9, 13-20, 22-32, 35, 35, 37-46, 51-90, 93-99, 98-110, 112-115, 117, and 144 Remington et al teach an inventive concept of electronic multiparty accounts receivable and accounts payable system that encompass all the limitation disclose in the claims and related to the independent claims. Therefore they are rejected under the same rationale.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

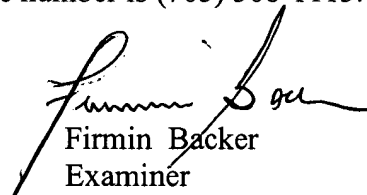
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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

  
Firmin Backer  
Examiner  
Art Unit 3621

December 18, 2003